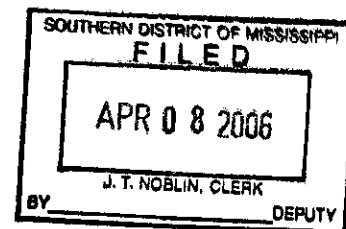


IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION



ELIZABETH SMITH, Individually and as  
CONSERVATOR OF THE ESTATE OF  
GROVER C. SMITH, a *Non Compos Mentis*

PLAINTIFF

VS.

CIVIL ACTION NO.3:02CV68WS

CSX TRANSPORTATION, INC.; et al.

DEFENDANTS

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**AGREED ORDER APPROVING THIRD-PARTY SETTLEMENT**

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THIS CAUSE is now before the Court upon the motion of the parties, joined by the attorney for the Employer, Interstate Trucking, Inc. and the Carrier, American Interstate Insurance Company of Georgia, for approval of the settlement of all claims of the plaintiff against the current Defendants, CSX Transportation, Inc., Louisiana-Pacific Corporation, Southern Pacific Railroad, and Union Pacific Railroad Company. The Court has been advised that Grover C. Smith died on October 14, 2005 and that the settlement of this case has been approved by the Chancery Court of Pike County in the Estate which has been opened for Mr. Smith. Accordingly, the Court is of the opinion the settlement should be approved by this Court whereby CSX Transportation, Inc. will pay the Estate Five Thousand Dollars (\$5,000.00) and Louisiana-Pacific Corporation will pay Fifty Thousand Dollars (\$50,000.00), and as a result all personal injury and wrongful death claims on the part of the plaintiff against the present Defendants shall be released. The Court finds the Plaintiff's claims against the present Defendants are doubtful, disputed and cannot be readily

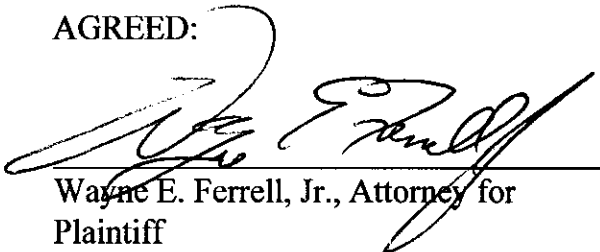
collected. The Court further finds the above-described settlement would be in the best interest of the Estate of Grover C. Smith. It is, therefore,

ORDERED AND ADJUDGED that the above described third-party settlement between the Plaintiff, Elizabeth Smith, Administratrix of the Estate of Grover C. Smith and the Defendants, CSX Transportation, Inc., Louisiana-Pacific Corporation, Southern Pacific Railroad Company and Union Pacific Railroad Company is hereby approved with the Employer and Carrier joining in the settlement and thereby releasing any subrogation claims they might have against the aforesaid Defendants.


SO ORDERED AND ADJUDGED this the 7<sup>th</sup> day of April, 2006.

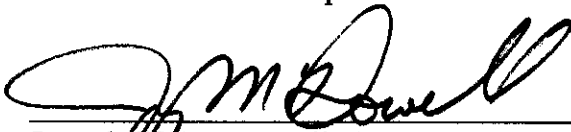
  
CHIEF UNITED STATES DISTRICT JUDGE

AGREED:

  
Wayne E. Ferrell, Jr., Attorney for  
Plaintiff

Civil No. 3:02-cv-68 WS  
Agreed Order Approving Third-Party  
Settlement

  
John L. Low, IV, Attorney for Defendant  
Louisiana-Pacific Corporation

  
Joseph W. McDowell, Attorney  
for Employer and Carrier